

FEBRUARY 7, 1845.

Read, and committed to the Committee of the Whole House on the state of the Union.

Mr. CLINCH, from the Committee on Military Affairs, reported the following bill:

**A BILL**

To found a Military Asylum, for the relief and support of invalid soldiers of the army of the United States.

1       *Be it enacted by the Senate and House of Representatives*  
2       *of the United States of America in Congress assembled, That*  
3       all enlisted soldiers of the army of the United States, and all en-  
4       listed soldiers who may hereafter be of the army of the United  
5       States, and not belonging to corps or regiments raised for a lim-  
6       ited period, or for a temporary purpose or purposes, shall be,  
7       according to the provisions and restrictions hereafter contained,  
8       members of the institution to be created by this act, and to be  
9       known as the "Soldier's Retreat," with all the rights, privileges,  
10      and advantages, annexed thereto.

1       SEC. 2. *And be it further enacted, That* for the good government  
2       and attainment of the objects proposed by the institution aforesaid,  
3       the General-in-Chief commanding the army, the generals com-  
4       manding the eastern and western geographical military divisions,  
5       the Quartermaster General, the Paymaster General, the Surgeon  
6       General, the Commissary General of Subsistence, and the Adjutant

7 General, shall be ex-officio commissioners of the same, constitu-  
8 ting a board of commissioners, a majority of whom shall have  
9 power to establish, from time to time, regulations for the gene-  
10 ral and internal direction of the institution, to be submitted to  
11 the Secretary of War for approval ; and may do any other act,  
12 or acts, necessary for the government and interests of the same, as  
13 authorized herein.

1       SEC. 3. *And be it further enacted*, That the officers of the  
2 institution shall consist of a governor, two deputy governors,  
3 and a secretary, the latter to be also the treasurer ; and the said  
4 officers shall be appointed or removed, from time to time, as the  
5 interests of the institution may require, by the Secretary of War,  
6 upon the recommendation of the board of commissioners.

1       SEC. 4. *And be it further enacted*, That the officers to be  
2 appointed for the government of the institution, as provided for  
3 in section three, shall be taken from the officers of the army of  
4 the United States.

1       SEC. 5. *And be it further enacted*, That there shall be a  
2 meeting of the board of commissioners at the city of Washing-  
3 ton, at least once in each year, and they may be assembled at  
4 such other times as the interests and wants of the institution  
5 may demand, at the discretion of the Secretary of War ; and the  
6 commissioners, at their annual meeting, shall examine and audit  
7 the accounts of the governor and the treasurer, who are hereby  
8 required to make to the board of commissioners quarterly state-

9 ments of the receipts and expenditures of the institution; and  
 10 the commissioners shall, at any other time, have power to inves-  
 11 tigate and report upon all matters in relation to the offices of the  
 12 said governor and treasurer.

1 SEC. 6. *And be it further enacted,* That the commission-  
 2 ers shall report the proceedings of every meeting to the Secre-  
 3 tary of War; and all moneys received or collected for the benefit  
 4 and use of the institution, excepting such moneys as may be held  
 5 in trust by the Secretary of War, as provided for in section six-  
 6 teen of this act, shall be paid to the said commissioners. And it  
 7 shall be the duty of the commissioners also to make a statement  
 8 and report of the affairs and condition of the institution, annually,  
 9 to the Secretary of War, to be by him submitted to Congress.

1 SEC. 7. *And be it further enacted,* That, for the support of  
 2 the institution, all stoppages or fines adjudged against soldiers by  
 3 sentence of courts martial, over and above any amount that may  
 4 be due for the remuneration of government or of individuals;  
 5 all forfeitures on account of desertions; all moneys, not exceed-  
 6 ing two-thirds of the balance on hand of the hospital fund of  
 7 each military station, after deducting the necessary expenditures  
 8 for that year; and all moneys belonging to the estates of de-  
 9 ceased soldiers, which now are, or which hereafter may be, un-  
 10 claimed for the period of twelve months subsequent to the de-  
 11 mise of the said soldier or soldiers, to be repaid by the commis-  
 12 sioners of the institution upon the reclamation of the heirs or

13 legal representatives of the decedents, be, and the same are  
14 hereby, appropriated.

1 SEC. 8. *And be it further enacted*, That from the first day  
2 of the month next ensuing after the passage of this act, there  
3 shall be deducted from the pay of every private, musician,  
4 artificer, and non-commissioned officer of the army, according to  
5 the restrictions expressed in section first, the sum of twenty  
6 cents per month; which sum, so deducted, shall be by the pay  
7 department of the army passed to the credit of the commission-  
8 ers of the institution, for its use and benefit.

1 SEC. 9. *And be it further enacted*, That every enlisted  
2 man of the army of the United States, who has served, or shall  
3 have served, honestly and faithfully, twenty years in the same  
4 after arriving at the age of eighteen years, or who shall have  
5 suffered by reason of disease or wounds incurred in the service,  
6 and in discharge of his military duty, rendering him unfit for  
7 further military service, if such disability have not been occa-  
8 sioned by his own negligence, drunkenness, or misconduct, be  
9 admitted to the privileges and benefits of this institution : *Pro-*  
10 *vided*, That no deserter, mutineer, or habitual drunkard, shall  
11 be received without such evidence of subsequent service, good  
12 conduct, and reformation of character, as the commissioners  
13 shall deem sufficient to authorize his admission : *And provided*,  
14 *also*, That any enlisted man admitted into the institution for  
15 disability as aforesaid, and who shall recover his health to fit

16 him again for military service, shall be (he being under the  
17 age of fifty years) discharged from the institution, and may be  
18 re-enlisted into the army of the United States.

1       SEC. 10. *And be it further enacted,* That the provisions  
2 of the foregoing section shall not be extended to any soldier who  
3 may incur disease by neglect or vicious conduct, or who may  
4 protract his cure by design or perverse conduct, or shall maim  
5 himself wilfully, to unfit him for military service. Nor shall  
6 any person convicted of felony, or other disgraceful or infamous  
7 crime of a civil nature, be admitted to the benefits of  
8 this institution. And all persons thus excluded, shall forfeit,  
9 for the benefit of the institution, any moneys previously paid by  
10 them to the same.

1       SEC. 11. *And be it further enacted,* That it shall be law-  
2 ful for the governor of the institution, or the person acting as  
3 governor of the same, to inflict punishment, by confinement,  
4 under the regulations of the commissioners, not exceeding  
5 twenty days, and by stoppages of any allowances that may be  
6 made, having regard to the reformation and health of the delin-  
7 quent, for a violation of the regulations of the institution; and  
8 any member or inmate of the institution, who shall be guilty of  
9 continued perverse and insubordinate conduct, or of drunkenness,  
10 or other vicious and immoral habits, or be convicted of a felony,  
11 or other infamous or disgraceful crime, shall, upon the report of  
12 the governor to the War Department, be dismissed from the

13 same, and forfeit all moneys hitherto paid by him into the  
 14 treasury of the institution. And it shall be unlawful, thereaf-  
 15 ter, to enlist any such person into the land or naval service of  
 16 the United States.

1        SEC. 12. *And be it further enacted*, That the commissioners  
 2 shall have power (provided the means or money of the institu-  
 3 tion be sufficient for such purpose) to fix the daily rate of allow-  
 4 ance, not to exceed three cents a day, to be paid in money to  
 5 each invalid soldier admitted into the institution, permanently,  
 6 or for a time only ; and not exceeding fifteen cents a day to each  
 7 soldier entitled to admission, but who may, for particular and  
 8 especial reasons, be permitted by the board of commissioners to  
 9 reside elsewhere, according to the following scale, the first being  
 10 of the highest degree : one, length of service ; two, wounds re-  
 11 ceived in battle ; three, disabilities after fifteen years' service ;  
 12 four, disabilities under fifteen years' service. And no pecuniary  
 13 emolument for disability shall be granted, under the provisions  
 14 of this, or any of the foregoing sections, except in cases express-  
 15 ly and strictly limited to disabilities caused in and by the ser-  
 16 vice.

1        SEC. 13. *And be it further enacted*, That the commissioners  
 2 be authorized to allow to the governor of the Soldier's Retreat  
 3 a sum not exceeding four hundred dollars per annum ; and to  
 4 the secretary and treasurer of said institution, a sum not exceed-  
 5 ing three hundred dollars per annum ; and the commissioners

6 may also authorize the governor of the Soldier's Retreat to em-  
 7 ploy as many as two clerks, to be taken from the inmates or  
 8 members of the same, as may be necessary, and allow for the  
 9 services of each clerk so employed a sum not exceeding seventy-  
 10 five dollars per annum; and that the said sums of money, and  
 11 all others incurred in the administration of the affairs of the in-  
 12 stitution aforesaid, be paid out of the funds belonging to the  
 13 same.

1        SEC. 14. *And be it further enacted,* That the Commissary  
 2 and Ordnance Departments are hereby authorized (when the  
 3 same can be done without injury to the public service) to fur-  
 4 nish such stores of their respective departments to the institu-  
 5 tion, as may be needed and required by the governor, under the  
 6 regulations of the commissioners; the costs of the same to be  
 7 refunded by the institution to the United States.

1        SEC. 15. *And be it further enacted,* That the Ordnance De-  
 2 partment is hereby authorized (whenever the public service  
 3 may require the same) to purchase from the Soldier's Retreat  
 4 prepared ordnance stores: *Provided,* The cost of said stores be  
 5 not higher than that of similar or like articles of prepared ord-  
 6 nance stores, when furnished by the arsenals of the United  
 7 States.

1        SEC. 16. *And be it further enacted,* That the Secretary of  
 2 War, or his successors in office, shall be authorized to receive  
 3 from any person or persons, individual or corporate, by bequest

4 or otherwise, any money or moneys, and estate, real or personal,  
 5 of any description whatsoever, as trustee, in behalf of, and for the  
 6 sole use and benefit of, the Soldier's Retreat ; which property may  
 7 be, under his direction, sold, or otherwise disposed of ; and with  
 8 the money aforesaid, applied for the current expenses of the in-  
 9 stitution, or be invested, constituting a fund for the benefit of  
 10 the same ; and any other moneys belonging to the institution,  
 11 which may be reported by the board of commissioners on hand,  
 12 and not presently needed for the current expenses of the insti-  
 13 tution aforesaid, shall be, under the direction of the Secretary  
 14 of War, as trustee, invested for the benefit and use of the said  
 15 institution ; and the aforesaid trustee shall annually, on or be-  
 16 fore the                      day of                      make a report of the  
 17 same to Congress.

1        SEC. 17. *And be it further enacted,* That all moneys be-  
 2 longing to the Soldier's Retreat, excepting such as may be held  
 3 in trust by the Secretary of War, as provided for in section six-  
 4 teen of this act, shall be deposited to the credit of the treasurer  
 5 of the said institution, in such place or places as the commis-  
 6 sioners thereof shall direct. And no moneys shall be drawn out  
 7 by the said treasurer, except upon the warrant of the commis-  
 8 sioners, countersigned by the Secretary of War.

1        SEC. 18. *And be it further enacted,* That each commis-  
 2 sioner, previous to entering upon the discharge of his duties,  
 3 shall make and subscribe the following declaration : "I do here-



4 by declare, upon my honor, that I will duly and impartially in-  
 5 quire into the matters to be brought before this board ; and will  
 6 decide in all questions, according to the laws and regulations of  
 7 the Soldier's Retreat ; and if any doubt shall arise, according to  
 8 my conscience, the best of my understanding, and the custom  
 9 of the service in like cases." And the governor, and the other  
 10 officers of the institution, shall, previous to entering upon the  
 11 duties of their office, make and subscribe the following declara-  
 12 tion : "I do hereby declare, upon my honor, that I will honestly  
 13 and faithfully execute the trust reposed in me, according to law,  
 14 and the regulations for the Soldier's Retreat ; and if any doubt  
 15 shall arise, according to my conscience, the best of my under-  
 16 standing, and the custom of the service in like cases."

1        SEC. 19. *And be it further enacted*, That the officers of  
 2 the army connected with the Soldier's Retreat, as provided for  
 3 in the foregoing sections of this act, may, for violations of the  
 4 laws and regulations of the said institution, or any of them, be  
 5 punished according to the discretion of a general court-martial,  
 6 which shall be ordered by the authority and under the restric-  
 7 tions contained in the act of Congress entitled "An act for  
 8 establishing rules and articles for the government of the armies  
 9 of the United States," approved April tenth, eighteen hundred  
 10 and six, or of such other as may hereafter be established.

1        SEC. 20. *And be it further enacted*, That the President of  
 2 the United States is hereby authorized to grant to the Soldier's

3 Retreat, for their use and occupancy, such unoccupied barracks,  
4 and lands adjacent, belonging to the United States, and which  
5 are or may not be needed for military or other public purposes,  
6 as shall be designated by the Secretary of War.